

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**STEVEN R. DELK,**  
**Plaintiff,**

**v.**

**MICHAEL C. YOUNCE, et al.,**  
**Defendants.**

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**Civil Action No. 7:14cv00643**

**ORDER**

**By: Norman K. Moon**  
**United States District Judge**

This matter is before me on Delk's motion pursuant to Rule 59(e) (Docket No. 103), asking me to reconsider the part of my March 31, 2016 memorandum opinion and order dismissing his claims about access to grievances, a conspiracy, and damages under RLUIPA.<sup>1</sup> Rule 59(e) of the Federal Rules of Civil Procedure allows a court to alter or amend a judgment. Relief under Rule 59(e) is appropriate "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available [previously]; or (3) to correct a clear error of law or prevent manifest injustice." *Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1988). Delk's motion does not satisfy any of the grounds for Rule 59(e) relief, and having reviewed his motion and pertinent portions of the record, I remain convinced that those claims were properly dismissed. Therefore, it is hereby **ORDERED** that Delk's motion for reconsideration is **DENIED**.

The Clerk shall send a copy of this to the parties.

**ENTER:** This 21st day of April, 2016.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, *et seq.*